IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 21ST AUGUST 2007 / 30TH SRAVANA 1929

WP(C).No. 6717 of 2007(Y)

PETITIONER:

AUSTIN.L., AGED 26 YEARS,
S/O.E.D.LAWRENCE, :ALEX BHAVAN",
VENNIYOOR, NELLIVILA P.O., THIRUVANANTHAPURAM-
695 523.

BY ADV. SRI.MILLU DANDAPANI

RESPONDENTS:

1. THE DIRECTOR OF TECHNICAL EDUCATION,
THIRUVANANTHAPURAM.

2. THE CONTROLLER OF EXAMINATIONS,
TECHNICAL EDUCATION, THIRUVANANTHAPURAM.

(3. THE PRINCIPAL, GOVERNMENT POLYTECHNIC
COLLEGE, KOTTAYAM.)
- R3 IS SUBSTITUTED BY ORDER IN I.A.NO.6492/07
DTD.28.5.07 AS FOLLOWS:

3. THE PRINCIPAL, TECHNICAL TRAINING INSTITUTE,
(AFFILIATED TO THE DEPT. OF TECHNICAL
(EDUCATION OF THE GOVT. OF KERALA).

4. SHRI.V.P.VISHWAMBHARAN,
ASSISTANT CONTROLLER, OFFICE OF THE CONTROLLER
OF TECHNICAL EXAMINATIONS, THIRUVANANTHAPURAM.

BY G.P. SHRI.M.R.SABU
SRI.NAGARAJ NARAYANAN
SRI.SAIJO HASSAN
SRI.A.S.SABU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P(C).No. 6717/07.

APPENDIX

PETITIONER'S EXHIBITS:

P1. COPY OF THE ADMISSION TICKET.

P2. COPY OF THE REPRESENTATION DTD.2.11.06.

P3. COPY OF THE LETTER DTD.21.11.06 OF R3 TO R2.

P4. COPY OF THE LETTER OF R3 TO R2.

P5. COPY OF THE LETTER DTD.16.1.07 OF R2.

P6. COPY OF THE CONDUCT CERTIFICATE BY R3.\

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///True copy///

P.A. to Judge.

S.SIRI JAGAN, J.

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W.P.(C).No.6717 of 2007

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Dated this the 21st day of August, 2007

J U D G M E N T

The petitioner is a student who underwent the Kerala Government Certificate Examination under 1995 scheme. After completing the course in 1998, the petitioner is stated to have applied for writing the examination under the Revision 1995, scheme in 2006. The petitioner wrote the examination, but his results were withheld. It is withheld on the ground that what he has written is the examination under the 2003 Scheme for which he was not eligible since he had completed the course under the 1995 Scheme. There is a difference between the two schemes in so far as there is no internal marks for 1995 Revision Scheme whereas, for 2003 Scheme, there is internal marks. That is why the results of the petitioner's examination could not be published.

2. When the writ petition earlier came up for hearing, I directed the Government Pleader to ascertain whether the

petitioner has got pass marks in the examination which he has written. The learned Government Pleader provided me with the results in a sealed cover from which I find that the petitioner has failed. That being so, I am of opinion that the contention of the petitioner need not be considered at present, since it would be a futile exercise. Suffice to permit the petitioner to write the next Revision 1995 Examination. Accordingly, I dispose of this writ petition with the following directions:

The petitioner shall be permitted to write the examination in Revision 1995 scheme in the next chance. I make it clear that the petitioner shall not be denied the chance on the ground that the petitioner has not produced any proof of having undergone the course, since the substituted third respondent categorically admits that the petitioner has undergone the course in that institution.

The cover handed over by the learned Government Pleader containing two documents is returned to the Government Pleader.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE